

Changes to the Consular Schedule of Fees

U.S. Embassy Sana'a issued the following Warden Message on July 5, 2010:

IMPLEMENTATION OF CHANGES TO THE CONSULAR SCHEDULE OF FEES

The following changes to the Schedule of Fees for Consular Services, which include passport, immigrant visa, and notarial fees, will be implemented on July 13, 2010.

PASSPORT AND CITIZENSHIP SERVICES:

- **The application processing fee for adult passport applications will change from \$55 to \$70.**
- **The passport book security surcharge will change from \$20 to \$40.**
- The application fee for passport cards will increase, from \$20 to \$30 for adults and from \$10 to \$15 for minors.
- **A new fee of \$82 for additional passport pages will be imposed.**
- The fee for file search and verification of U.S. citizenship (generally conducted only by domestic passport agencies) will increase from \$60 to \$150.
- **The fee for a Consular Report of Birth Abroad will change from \$65 to \$100.**
- A new fee of \$450 is being established for documentation of formal renunciation of U.S. citizenship, which applies only to those persons who choose to take the Oath of Renunciation pursuant to Sec. 349(a)(5) INA.

OVERSEAS CITIZENS SERVICES:

- The fee for making arrangements for a deceased non-U.S. citizen is changing from consular time (Item 75 on the Schedule of Fees) plus expenses to \$200, plus expenses.

IMMIGRANT AND SPECIAL VISA SERVICES:

- The immigrant visa (IV) application fee - which must be collected from all IV applicants who are not fee-exempt - will now be tiered. The new fees will be \$330 for immediate relative and family preference cases (processed on the basis of an I-130, I-600 or I-800 petition), \$720 for employment-based cases (processed on the basis of an I-140 petition), and \$305 for other cases (special IVs, Diversity Visas (DVs), self-petitioned cases, and all other IVs).
- The IV security surcharge - which must be collected from all IV applicants who are not fee-exempt - will increase from \$45 to \$74.

- The DV fee (which is charged in addition to the application processing fee and security surcharge) will change from \$375 to \$440.
- The fee for domestic (NVC) review of affidavits of support is changing from \$70 to \$88.
- The fee for determining returning resident status is decreasing from \$400 to \$380.

DOCUMENTARY SERVICES:

- **Notarial and authentication services, which now range from \$20 to \$30, will all be \$50.**

JUDICIAL ASSISTANCE SERVICES:

- The fee for processing of letters rogatory will increase from \$735 to \$2,275.
- Fees for taking depositions and executing commissions to take testimony will change as follows: scheduling/arranging appointments for depositions, from \$475 to \$1,283; attending or taking depositions or executing commissions to take testimony, from the consular time charge of \$265/hour to \$309/hour plus expenses; swearing in witnesses for telephone depositions and supervising telephone depositions, from the consular time charge of \$265/hour to \$231/hour; providing seal and certification of depositions, from \$70 to \$415.

ADMINISTRATIVE SERVICES:

- Consular time charges (item 75 on the Schedule of Fees) will decrease from \$265 to \$231.

GENERAL QUESTIONS AND ANSWERS

Q: Why are you changing the fees at this time?

A: To ensure that the Department of State recovers the true costs of consular services through user fees, as required by law. The proposed changes to our fee schedule reflect more accurately the true expenditure of doing business. This way, services of direct benefit to individuals, organizations, or groups are paid for by the users rather than by taxpayers in general.

Q: Did the Department of State give this much thought?

A: The Department of State reviewed its current consular fees based on a cost of service study completed in June 2009. This study, involving two years of research, was the most detailed, comprehensive study of consular fees that the Department of State has completed.

Q: What will the increase in fees pay for?

A: The proposed changes in consular fees would cover actual operating expenses for the 301 consular posts abroad, 23 domestic passport agencies, and other centers that provide consular

services to both U.S and foreign citizens. As is the case in all U.S. government user charges, consular fees allow us to recover the costs of services from which a specific user - whether a U.S. or foreign citizen - derives a special benefit beyond those that accrue to the general public.

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Q: Why have some fees increased more than others?

A: The cost of service study completed in June 2009 is the most detailed and exhaustive study the Department of State has ever conducted. It gives us greater clarity into our actual costs and allows us to differentiate between specific services within an activity category. As a result, and because it is equitable, we are establishing tiered fees for some service categories, (such as nonimmigrant visa application fees and immigrant visa processing fees). We will charge more for those cases that require extensive processing and less for more straight-forward cases, better reflecting the cost of providing these services.

Q: Have some fees decreased?

A: Yes. The fee for determining returning resident status of a U.S. legal permanent resident has decreased from \$400 to \$380 because improvements in automated systems have made it easier to provide that service. The hourly rate for consular time, which is applied to services that are not provided often enough to develop a reliable estimate of the average time involved (such as supervising telephone depositions), has been reduced based on the findings of the cost of service study. The application processing fees for two categories of immigrant visas are also lower than the previous flat fee (see items 32(a) and 32(c) of the proposed Schedule of Fees).

PASSPORTS Q&A

Q: What will the increase in passport fees pay for?

A: Over the last five years, the demand for passports has increased to an average of approximately 15 million per year. Historically, Passport Services counter agencies were located primarily on the two coasts and in the center of the country, which left the northern and southern borders relatively underserved. In response to the Western Hemisphere Travel Initiative (WHTI), the Department has undertaken a systematic expansion of the network to provide better service to communities that have been particularly affected by the land border crossing requirements associated with that program.

The number of passport facilities has increased significantly since the last comprehensive cost of service study. Four new counter agencies are now serving communities along the southern and northern borders that have been particularly affected by the land border crossing requirements associated with the Western Hemisphere Travel Initiative. In FY 2004, the State Department had 13 passport agencies open to the public across the United States and two passport centers; by the end of FY 2011, we will have 23 passport agencies and five passport centers, two of which are dedicated to the printing of passport books and passport cards. This expanded service and

attendant cost increases has permitted us to provide more timely service to the traveling public and to maintain high standards for adjudication in accordance with U.S. citizenship laws and with appropriate attention to fraud risks.

It should also be noted that fees for passport books also cover the costs of certain emergency services provided to American citizens overseas. These include assistance to Americans who have been victims of crime or who have been arrested abroad, assistance provided after the death of a U.S. citizen, and visits to U.S. citizens in overseas prisons. These services also include organizing the evacuation of American citizens affected by war or natural disaster in a foreign country, such as victims of the recent earthquake in Haiti. The estimated cost of providing such services to U.S. citizens in Fiscal Year 2009 was almost 300 million dollars.

Q: Didn't you just recently increase the passport application fee?

A: The previous update of the Schedule of Fees was in 2005. At that time, the passport application fee was lowered. Passport application fees were raised slightly in February 2008, based on the need to add passport processing capability ahead of the implementation of the Western Hemisphere Travel Initiative, but those increases were based on estimates. The cost of service study completed in June 2009 captures those costs more accurately.

Q: Why did you lower the passport fee in 2005?

A: A cost of service study conducted at that time determined that the fee schedule had to be re-structured, more accurately reflecting the cost of doing business was in 2005. Costs in 2005 were lower due to an enormous increase in passport workload without a comparable increase in staff. Since then, in order to maintain timely service and ensure the integrity of the issuance process, additional staffs have been hired. There have also been significant technological upgrades that enhance the security of the document itself.

Q: What is the actual cost of processing passport applications?

A: The June 2009 study estimated that the actual cost of processing first-time passport applications for both adults and minors is \$103.49, including border security costs covered by the passport book security surcharge. Because a minor passport book has a validity of just five years, in contrast with the ten-year validity period of an adult passport book, the Department has decided to leave the minor passport book application fee at \$40, and allocate the remainder of the cost of processing minor passport book applications to the adult passport book application fee. The Department is raising the security surcharge for both adult and minor passports from \$20 to \$40 to cover the costs of increased border security, which include enhanced biometric features in the document.

Note:

· The total charge for a first-time passport book for an adult, including the application fee, security surcharge and execution fee, will increase from \$100 to \$135.

- The total charge for an adult passport book renewal, including the application fee and security surcharge, will increase from \$75 to \$110.
- The total charge for a minor passport book (age 16 and under), including the application fee, security surcharge and execution fee, will increase from \$85 to \$105.

Q: Why is the Government charging me such a high fee to add passport pages, something previously provided for free?

A: The cost of service study found that adding visa pages to an existing passport book requires nearly the same resources as producing a new passport book. The study found that the cost of producing the pages, placing them in the book in a secure manner by trained personnel, and completing the required security checks costs the U.S. Government \$82.48. The Department will charge \$82 for this service. Please note that frequent travelers can request a 52-page passport book at no additional cost when they renew their passports, potentially saving them from the additional cost of visa pages.

Q: Why did the application fee for a passport card go up?

A: The cost of service study projected that the outlay of processing first-time applications for adult and minor passport cards in Fiscal Year 2010 will be \$77.59. The passport card is intended to be a substantially less expensive document than the passport book for the convenience of citizens who live close to land borders and cross back and forth frequently. Therefore, the Department has decided to raise the adult passport card application fee from \$20 to just \$30, and the child passport card application fee from \$10 to just \$15.

Q: You just implemented WHTI, which requires me to have a passport, and now are raising the fees I have to pay?

A: Independent of the new travel regulations, the Department of State's cost of producing passport books and passport cards has increased. Our new fees reflect the cost of providing passport services to the American public.

Q: Has the passport application execution/acceptance fee now increased?

A: No, the passport application execution/acceptance fee will remain the same, \$25.

Q: If the passport fees increased, why didn't the passport application execution/acceptance fee increase?

A: The Department of State reviewed the cost factors for the execution of passport applications separately from the application fee. In order to determine the appropriate execution fee, and since postal acceptance facilities comprise the majority of our acceptance facility network, Department officials consulted with the United States Postal Service. We agreed to charge a \$25 acceptance/execution fee that would appropriately recover costs and ensure that our acceptance facilities can continue to provide passport acceptance service to our customers.

Q: Why was the File Search Fee increased?

A: The Department is raising the fee for file searches from \$60 to \$150 based on the cost of providing the service. Applicants can avoid paying this fee by providing adequate citizenship documentation when applying for a passport rather than requesting an expensive, time-intensive file search.

Q: How can I get more information about passport fees?

A: Information about passport fees, as well as how and where to apply for a U.S. passport book or card, can be found on the Department of State's web site at travel.state.gov.

OVERSEAS CITIZEN SERVICES FEES Q&A

Q: Why does it cost so much money for me to renounce my U.S. citizenship?

A: Renouncing one's U.S. citizenship is a significant step that requires thorough and careful attention. We take seriously our responsibilities for ensuring that people know the consequences of their decision and that each case is properly handled. As a result, the adjudication of renunciation cases is very costly per case. The new fee of \$450 helps cover those costs.

Q: Did the fee also change for a Report of Birth Abroad of a Citizen of the United States?

A: Yes. The fee will increase from \$65 to \$100, which is still significantly less than the cost indicated by the cost of service study. We opted not to raise it as high as actual cost so as not to discourage U.S. citizen parents seeking to document their children. It is in the national interest that U.S. citizen parents document the citizenship of their children at birth and, because most parents also apply for a passport at the same time, a fee greater than \$100 would be a disincentive.

IMMIGRANT VISA FEES Q&A

Q: Are immigrant visa (IV) fees being increased?

A: Yes. The Department is increasing most immigrant visa (IV) processing fees based on results of the cost of service study. IV processing fees were last increased in 2005, to \$355 per person. The Department now proposes to increase the application processing fee for most IV categories and establish multiple fees. Under the new schedule of fees, IV applicants will pay: \$330 for immediate relative and family preference cases; \$720 for employment-based cases; and \$305 for other categories (including Diversity Visa, SE category special immigrant, and self-petitioner cases). (Special immigrants under Section 1244 of the Defense Authorization Act for Fiscal Year 2008 and Section 602(b) of the Omnibus Appropriations Act of 2009 remain fee-exempt.) The IV security surcharge, paid by all non-fee-exempt applicants, will increase from \$45 to \$74. The Diversity Visa (DV) surcharge will increase from \$375 to \$440. The fee for Affidavit of Support (I-864) Review will increase from \$70 to \$88. The fee for determining Returning Resident Status will decrease from \$400 to \$380.

Q: When do the new IV processing fees go into effect?

A: The Department is proposing these new fees in a Federal Register notice, but will not implement them until it reviews and considers any comments received from the public and publishes a final rule. IV applicants must start paying the new processing fees once the Department publishes that second, final rule. Applicants who receive bills from the National Visa Center (NVC) that are dated after the final rule is published must pay the new processing fees.

Q: What if I already paid all IV fees applicable to my case?

A: Fees paid at posts and to NVC prior to the publication of the final rule are considered paid in full at the current rate, and these applicants will not be required to pay additional fees to cover the difference between the current and new fees. Applicants already billed by NVC prior to the publication of the final rule will only pay the fees billed, regardless of whether they pay before or after the new fees are implemented.

Q: What if I receive a bill from NVC after the new IV fees go into effect on, but it is dated prior to that date?

A: Fees billed by NVC prior to the publication of the final rule will be considered paid in full at the current rates, and these applicants will not be billed at a later date for additional fees to cover the difference between the current and new fee rates, regardless of when they pay.

Q: Are there any exceptions?

A: Yes. If applicants paid their visa application processing fees before March 2005, they would be required to pay the security surcharge.